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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1702 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.858 OF 2006**

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Ambit Estate & Development Co. Ltd. ..Respondent.

Mr.Vimal Gupta with P.S.Sahadevan for appellant.

Mr.K.Gopal with Jitendra Singh for respondent.

**CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.**

DATED : 16TH OCTOBER, 2007.

P.C. :-

There is a delay of 384 days in preferring the appeal. There is affidavit in support of Mr.V. Murlidharan. The I.T.A.T. order was received 20/12/2004. The file was forwarded to the Ministry of Law on 19/4/2005. The draft appeal memo was received on 24/11/2005 and the appeal was filed on 11/5/2006. There is no explanation whatsoever for the delay between 19/4/2005 and 24/11/2005 and thereafter from 24/11/2005 to 11/5/2006. In our opinion, the cause shown would not amount to sufficient cause. Hence Motion is dismissed.

(J.P.DEVADHAR, J.)

(F.I.REBELL0, J.)